

**SCOTT YANCEY** )  
 Claimant )  
 VS. )  
 )  
**SUBURBAN PROPANE** )  
 Respondent )  
 AND )  
 )  
**CIGNA WORKERS COMPENSATION** )  
 Insurance Carrier )

Docket No. 214,629

After reviewing the record and considering the arguments, the Appeals Board finds that the issue raised by claimant on appeal is not one subject to review at this point in the proceedings. K.S.A. 44-551 limits the jurisdiction of the Appeals Board to those appeals which allege an Administrative Law Judge has exceeded his jurisdiction. Although

claimant states that this is a jurisdictional issue, it is not one listed in K.S.A. 44-534a and does not otherwise state a challenge to the jurisdiction of the Administrative Law Judge. The appeal is one which argues that the Administrative Law Judge has erred in determining which medical benefits should be provided. So long as the claim involves an accidental injury arising out of the course of employment and so long as notice and timely written claim are made, the Administrative Law Judge has the jurisdiction to make that determination.

**WHEREFORE**, the Appeals Board finds that the appeal should be dismissed and the order entered by Administrative Law Judge Robert H. Foerschler dated November 22, 1996, should remain in effect as originally entered.

**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of February, 1997.

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BOARD MEMBER

C: J. Paul Maurin, Kansas City, KS  
Gary R. Terrill, Overland Park, KS  
Robert H. Foerschler, Administrative Law Judge  
Philip S . Harness, Director